

Committee on Resources

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**Testimony of the
Honorable Mike Nannini
Vice-Chair
Elko County Board of Commissioners
Elko County, Nevada**

**Before the
Subcommittee on National Parks, Recreation and Public Lands
Committee on Resources
United States House of Representatives**

**Hearing on the Dispensation of Funds from the
Southern Nevada Public Lands Management Act**

**Las Vegas, Nevada
December 4, 2003Mr. Chairman and Members of the Committee:**

My name is Mike Nannini. I am the Vice-Chair of the Elko County Board of Commissioners. I have been an Elko County Commissioner for eleven years and have served on various local government Boards and Commissions since the 1970's including the Mayor of Wells, Nevada.

Please accept my thanks for the opportunity to discuss the impacts of the Southern Nevada Public Lands Management Act (SNPLMA) upon Elko County. Five applications from Elko County were approved during the Round 4 process. We are aware of at least six potential SNPLMA applications from Elko County in the near future.

Elko County is located in the northeastern corner of Nevada. Composed of more than seventeen thousand square miles or almost eleven million acres, Elko County is the fourth largest County in the Continental United States. Our County's land mass is larger than some eastern States. Seventy-two percent of Elko County is federally managed lands. Sixty-two percent is managed by the Bureau of Land Management and about 10 percent is managed by the Forest Service. We enjoy an abundance of open spaces and outdoor recreational opportunities such as hunting, fishing, hiking and camping activities which enhances our quality of life. As in many areas in the Western United States, large components of Elko County's economy are directly tied to the use of public lands by ranching and mining operations. Generations of our citizens have been ranchers and miners.

In Elko County, the Southern Nevada Public Lands Management Act causes two strongly held beliefs to be in contention. One, that private property owners have a right to sell their property as they see fit, and the second, that Elko County has enough federally managed lands. The conflict between these two opinions is evident among our citizens and members of the County Commission. Elko County supports private property rights. We are reluctant to interfere with the sale of private property between willing parties. While SNPLMA provides an avenue for public land sales in Clark County, its impact is the federal acquisition of private land in Elko County. With the millions of dollars that will be generated by public land sales in Clark County, we fear that many of our private ranches may be converted to federally managed lands within the next decade unless other beneficial uses of this windfall of monies are available.

Section Five (Acquisitions) of the Act defines lands for acquisition as "environmentally sensitive land" that will promote a variety of purposes such as preservation, recreation, public access, land management, or for the public interest. We believe this definition is vague enough that it will allow most of Elko County's private lands to qualify for acquisition under the Act. Private property owners are lured by an artificial real estate market created by the acquisition provisions of SNPLMA that makes it difficult to ignore the potential of high property appraisals.

Elko County fears SNPLMA will cause the erosion of our tax base due to the reduction of taxable property.

The Federal Payment in Lieu of Taxes (PILT) program attempts to balance this issue. However, our most recent PILT payment was twenty-two cents an acre for federally managed lands. PILT funding does not adequately provide funding for local government services such as road maintenance, fire protection and law enforcement. If the percentage of private property declines in our County, it will force an increased tax rate on our citizens for local government services.

Elko County offers these suggestions that may mitigate the SNPLMA impacts upon rural Nevada. These suggestions have been developed from discussions by the County Commission, the Elko County Public Land Use Advisory Commission and from local Public Hearings.

- Amend the law so that lands acquired under SNPLMA outside of Clark County will be offset by disposal of a like value of federally managed lands within the same County. Such disposal should be on an equal value basis and offered for private and public (State or local government) ownership acquisition. Consideration for sale could include grazing allotments to ranchers, un-patented mining claims, potential mining or natural resource areas, Recreation for Public Purposes Lease (RP&P) property and other lands to consolidate checkerboard parcels or in-holdings, with priority given to local governmental entities on lands bordering or within their boundaries. The final resulting goal of "No Net Loss" of private lands within the affected county should be a federal management commitment. To address the problem of reduced taxable property in a County through SNPLMA land acquisitions, a tax annuity should be established by the Seller or a percentage of the sale proceeds should be allocated to offset the reduction of local governmental tax revenues. This portion of sale proceeds could be utilized for lost tax revenues, enhanced economic development activity and other local government services.
- Allow a portion of the proceeds on SNPLMA land sales in Clark County to be appropriated toward the general funds of federal land management agencies within the State of Nevada to maintain lands and facilities currently under their management. This could include range management improvements, wildfire management, conservation, water developments for grazing, recreation or wetland habitat; recreation developments such as trails, parks, camping facilities, interpretive signs; wildlife and critical habitat enhancements and improvements to existing infrastructure and facilities.
- The Nevada Senate and Assembly approved Senate Joint Resolution No. 2 this past Legislative Session which requests SNPLMA funding "for restoration of and water developments on the public lands in the areas of Nevada . . ." Any acquired water rights should not be transferrable inter-basin or inter-county but be utilized for wildlife, grazing, recreational or habitat enhancement with any unused water rights reverted to the Nevada Division of Water Resources for re-allocation within the basin.
- Increased emphasis should be given to improved access to public lands through the acquisition of land easements.
- Consideration could be given to increase the current 5 percent paid directly to the State of Nevada for use in general education programs in the State.

Again I wish to express my appreciation for the opportunity to discuss the issues related to the impacts of the Southern Nevada Public Lands Management Act upon Elko County. Perhaps serious consideration of these suggested amendments will make the Act equitable for all who are affected by its provisions.